

**VILLAGE OF ESTERO PLANNING AND ZONING BOARD
MEETING OF JUNE 16, 2015**

The Village of Estero Planning and Zoning Board meeting was held on this date at the Estero Fire Rescue District Meeting Room, 21500 Three Oaks Parkway, Estero, Florida.

Present: Chairman Roger Strelow, and Board Members Ryan Binkowski, David Crawford, Ned Dewhirst, Jeff Maas, Marlene Naratil, and Scotty Wood.

Also present: Burt Saunders, Village Attorney, Nancy Stroud, Esq., Mary Gibbs, Community Development Director, and Kathy Hall, Village Clerk.

1. CALL TO ORDER

Chairman Strelow called the meeting to order at 5:30 p.m.

2. PLEDGE OF ALLEGIANCE

Chairman Strelow led the Pledge of Allegiance.

3. ROLL CALL

Chairman Strelow called the roll; all members were present.

4. APPROVAL OF AGENDA

Board Member Crawford moved approval of the agenda, seconded by Board Member Binkowski. The motion was carried unanimously.

5. BOARD BUSINESS

(A) Approval of May 19, 2015 Meeting Minutes

Chairman Strelow commented on the rules of procedure that were part of the May 19, 2015 minutes.

Board Member Crawford moved approval of the May 19, 2015 minutes, seconded by Board Member Binkowski, called and carried unanimously.

6. ACTION ITEMS

(A) **Flood Hazard Reduction Amendments to Land Development Code**

Ordinance No. 2015-08 Adopting Lee County Ordinance No. 15-09 Amending the Lee County Code of Ordinances in Effect in the Village of Estero, Pursuant to Section 12 (5)(A) of the Estero Charter Amending Lee County Land Development Code Chapters 6 and 10 and Certain Sections of the Florida Building Code to Authorize the Board of Adjustments and Appeals to Hear Certain Variance Requests from the Florida Building Code; Limit Building Permits Based on Affidavit; Amend the Definition of Substantial Improvement; Repeal and Replace Land Development Code Article IV Flood Hazard Reduction (Secs. 6-401-6-476) in its Entirety, to Adopt Flood Hazard Maps, Designate a Floodplain Administrator, Adopt Procedures and

Criteria for Development in Flood Hazard Areas, and for Other Purposes; Provide for Conflicts of Law, Severability, Codification and Scrivener's Errors, Modifications that may arise from Consideration at Public Hearing and Providing an Effective Date

Chairman Strelow provided an explanation of the ordinance and introduced Mary Gibbs, Village Community Development Director. Village Attorney Burt Saunders provided background information regarding the ordinance, noting that Lee County adopted this ordinance a few weeks ago and would be adopted by the Village Council at their June 17, 2015 meeting. Discussion ensued.

Public Comment:

Paul Mandalero, Corkscrew Woodlands, addressed concern regarding the possibility of losing exemptions. Village Attorney Burt Saunders responded that the Village Council hired a consultant to work on maintaining the current 25% discount. Brief discussion ensued.

Board Member Wood moved to recommend approval of the ordinance to the Village Council for adoption and find that the ordinance is consistent with the Comprehensive Plan, seconded by Board Member Naratil, called and carried unanimously via roll call vote.

Chairman Strelow noted that the Planning and Zoning Board would conduct bi-monthly meetings to enable the Board to get through the backlog of applications. He also provided an explanation on how proposals were previously addressed and spoke to the quasi-judicial hearings, along with the informational informal process with public information meetings.

7. PUBLIC INFORMATION MEETINGS

(A) Timberland and Tiburon - Amend Master Concept Plan to allow minor shifts to lakes and elimination of an internal roadway

Neale Montgomery, Attorney, Pavese Law Firm, stated that the amendment involved reconfiguring the lake and eliminating a road. Brief discussion followed.

John English, Engineer, Peninsula Engineering, provided an explanation of the master concept plan, and addressed the two amendments: (1) a shift to the water management system, and (2) the subsequent elimination of an internal roadway. Discussion ensued.

Ms. Montgomery requested that the application move forward to the June 30, 2015 agenda.

Chairman Strelow called for public comment and no one came forward.

(B) Genova - Comprehensive Plan Amendment; Rezoning; Sales Center Administrative Amendment

Jim Wallace, Developer, introduced the community concept – a community of residences in six 4-story buildings around a lake and clubhouse, Mediterranean architecture, specifically Modern Urban Northern Italian. Utilizing a PowerPoint presentation, Mr. Wallace described the plans, elevations, and site plans.

Chairman Strelow mentioned one of Mr. Wallace's existing projects, north of Coconut Point mall, Rapallo at Coconut Point. Brief discussion followed.

Josh Philpott, Senior Planner, Stantec, described the 16.92 acres and surrounding properties, and, utilizing a PowerPoint presentation, spoke regarding the following: the property is currently agricultural use; current zoning is mostly agricultural with the upper northeast corner zoned as CPD, which was approved in 2004 for approximately 47,000 sq. ft. office and retail uses; and an existing right-of-way easement.

Mr. Philpott explained the proposed development included a comprehensive plan amendment, a residential planned development rezoning of the property, and administrative amendment to the CPD zone to allow a sales center. Discussion followed regarding the proposed rezoning from suburban to intensive development; standard density ranges; Estero Studies: Peloton Market Analysis and Community Planning Initiative Report; Residential Planned Development; pedestrian connections; higher density; public space; alternative housing type; transit supportive; architectural influence; requested deviations; 30' building setback along Corkscrew Road due to linear park; buffers along Via Coconut Point; intersection separation required for access to Corkscrew Road; waterbody setback for roads allows lakes to be located closer to Via Coconut Point; 4:1 bank slopes for lakes; 30% hardened shoreline bulkheads proposed along interior road and amenity center; gatehouse setback will be 70 feet instead of 100 feet; and the sales center administrative amendment.

Numerous public comments followed regarding whether the sales center would be permanent; what will happen to the existing farm; the proposed urban development that was different than what Estero was used to; whether sidewalks would be constructed outside the community; the impact on Corkscrew Road; the amount of current agricultural and commercial zoning; and concern regarding the 4-story development. Among the speakers were Mike St John, Irv Hanson, Ron Samoyer, Ed McCullers, Susie Cops, and Paula Simon.

In response to the public comments and questions, Mr. Wallace stated that the sales center would be built on the location for building number six; when they are ready to build building six, the sales center will no longer be there. He believes that the farm lease expires in November or December. He spoke to the non-walled community aspect; limited visibility of the security; hidden fencing; additional 60 black olive trees will be planted; an option of installing a pedestrian gate into the park; a center entrance into the courtyard that leads to the garage area; existing sidewalks; the current Commercial Retail zoning on the 17 acres, has a greater transportation impact on the community than the amount of proposed homes; and noted that the application would need to undergo a traffic impact analysis.

Questions from Board Members followed, including the on-site lake, the deviation requested for the sales center, driveway access, sales center access and the number of trips to the sales center; number of actual units proposed; storm water; deviation requests; and security. Board discussion and response from Mr. Wallace ensued.

The meeting went into recess at 7:12 p.m. and reconvened at 7:20 p.m.

(C) Estero Crossing - Comprehensive Plan Amendment; Rezoning

Chairman Strelow explained that there had been a prior presentation before the old Estero Community Planning Panel and that a less detailed presentation would be given at this meeting.

Neale Montgomery, Attorney, Pavese Law Firm, stated that they would be addressing changes based on public input at the previous presentation. Ms. Montgomery referred to an existing zoning resolution that provides for 310,000 square feet of commercial and explained that the proposal was a Comprehensive Plan Amendment, changing the existing Commercial Planned Development to a Mixed Use Planned Development with dwelling units added to the Schedule of Uses; adding a private access easement to connect Corkscrew Woodlands Blvd. to the Lowe's parking lot; and modifying the master concept plan to reflect these changes including a single family and multi-family option.

John Wojdak, DeLisi Fitzgerald, Inc., provided an overview of the request to rezone the property to Mixed Use Planned Development which would include 60,000 square feet of commercial located on the Corkscrew Road frontage, with a reverse frontage road that lines up with Chevrolet Way and connects to the existing reverse frontage road in the Lowe's development; residential component will have a maximum of 455 units; indigenous preserve on the east to provide a buffer to the existing residential; multi-family master concept plan with a single family option. Mr. Wojdak addressed the changes made, including the indigenous preserve; an enhanced buffer; and a perimeter swale.

Keith Gelder, Stock Development, stated that they have met with Lee County and FDOT, and noted that they understand traffic is a big concern. Discussion ensued.

Scott Windham, of Windham Studio, spoke regarding the enhanced buffer with hedge planting and trees creating vegetative wall.

Numerous public comments followed regarding the proposed fence; the height of the berm; what would be along Corkscrew Woodlands Blvd; whether the proposal was single -family or multi-family; whether the development would be a 5-story development; concern regarding noise, security, and availability of water; the frontage road; and the proposed signal light.

Among the speakers were Bobbie Nelson, Corie Gessler, Vivian Manski, Mike St John, Barbara Johnson, and Carol Lazell.

Board discussion, questions and comments followed.

Representatives of Estero Crossing responses included: the fence was still to be determined, but it would be similar to the Genova development; the berm would be two feet high due to site constraints; an indigenous preserve would be along Corkscrew Woodlands Blvd; the current vision of the residential development was 4-story multi-family.

Discussion ensued regarding the frontage road; the County process and payment for a signal light; mixed-use development; adequate capacity for water and sewer from Lee County; the traffic study; high density housing and the need for multi-family.

8. CONTINUED DISCUSSION OF DRAFT PROCEDURAL RULES

Chairman Strelow stated that Nancy Stroud, Special Counsel, was asked to make the revisions brought up at the last meeting. Ms. Stroud spoke regarding the revisions and noted that she had made another narrative change on page 11, section 5.6.4, which addressed the procedures that allow for parties to be cross examined; the word “interested” was deleted preceding the word “parties.” Brief discussion followed and it was noted that the procedural rules would be placed on the next Board agenda for adoption.

9. PUBLIC INPUT OF NON-AGENDA ITEMS

None.

10. BOARD COMMUNICATIONS / FUTURE AGENDA ITEMS

None.

11. ADJOURN

A motion to adjourn was made and seconded, called and carried unanimously. The meeting adjourned at 8:30 p.m.

Respectfully submitted,

Kathy Hall, MMC
Village Clerk